

Contract Number 68-S7-4009

Delivery Order Number

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**STATEMENT OF WORK
MID-AMERICA REFINERY COMPANY (MARCO)
Chanute, Kansas**

Site:	MID-AMERICA
ID #:	KSM84091545
Break:	22.0
Other:	07KN

PURPOSE:

This action is authorized under Section 311c of the Federal Water Pollution Control Act ("Clean Water Act") as amended by the Oil Pollution Act of 1990 which allows for the removal of oil-contaminated materials and debris to mitigate or prevent a substantial threat of a discharge of oil.

The MARCO site is an abandoned oil refinery inclusive of the crude oil gathering lines which belonged to the refinery and were abandoned in the mid 1970s. The refinery was abandoned in 1981, leaving 138 onsite tanks (many of which still contained petroleum materials) to deteriorate. Both aboveground and underground piping were left with petroleum materials in them when the refinery shut down. Old memos found at the refinery, indicate that the piping and tanks leaked throughout the operation of the refinery. Soils on this site are heavily contaminated with petroleum material. The refinery sits on a slope with a gradient difference of 30 feet from the west to the east side of the site. The east side of the site has a drainage ditch which collects all refinery runoff and carries it through wetland areas to Village Creek and the Neosho River. These factors pose:

- i. A substantial threat of a discharge of oil into or on navigable waters and/or the adjoining shorelines of navigable waters; and/or
- ii. A substantial threat of a discharge of oil of such a size or character as to be a substantial threat to the public health or welfare of the United States.

BACKGROUND:

The Mid-America Refinery Company in Chanute, Kansas, is a 25-acre abandoned oil refinery. This facility operated as a crude oil processor from 1934 until it was shut down due to bankruptcy in February 1981. An initial site investigation indicated that at least 40% of the 138 tanks that were on-site had inadequate diking. Surface soil samples found total petroleum hydrocarbon contamination up to 165,400 milligrams per kilogram (mg/kg). Excessive runoff and pools of oily water were noted throughout the site during heavy precipitation.

The property was bought by a trustee of the Robert Cooley Trust Fund in January 1994. Mr. Robert Moore is the trustee. Numerous Unilateral Administrative Orders (UAOs) have been issued to the trustee to clean-up this site. These UAOs have not been successful in motivating the trust to clean-up the site. Presently, the whereabouts of Mr. Moore are unknown.

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SUPERFUND RECORDS

A 1994 CERCLA cleanup addressed hazardous waste and asbestos that was located on-site. Fifty-nine tanks, containing approximately 111,300 gallons of petroleum related waste remained on-site after this clean-up action due to the CERCLA petroleum exclusion provision.

After the CERCLA clean-up was completed, the trustee obtained the services of numerous scrap metal salvagers. These individuals scrapped numerous tanks and associated piping. Due to their scrapping efforts, tops and sides of tanks were cut off which allowed rainwater to collect in the tanks and the petroleum materials to directly discharge onto the ground. Because the site sits on a steep hill, run-off from rain events allowed these petroleum materials to discharge into a drainage ditch, that runs through a wetlands and discharges into Village Creek which discharges into the Neosho River, the source for drinking water for the city of Chanute.

EPA issued a Unilateral Administrative Order, pursuant to Section 7003 of the Resource Conservation and Recovery Act, (RCRA) to the trustee and associated salvagers to cease dismantling activities on-site. This measure was taken after determining that there was imminent and substantial endangerment to human health and the environment because of the release and discharges of oil and hazardous and/or solid wastes from the Site. In January 1997, this case was turned over to the Department of Justice for action. As of February 17, 1998, there were 27 tanks remaining on-site containing approximately 80,000 gallons of petroleum related materials.

TANK CONDITIONS:

During the 16 years that the refinery has been closed, the tanks had continued to rust and degrade. No maintenance, corrosion control, leak testing, etc., had been done to maintain the integrity of these tanks. Numerous tanks had no berms around them to serve as secondary containment in the event of any spills or tank failures. Oily water around some of the tanks that did have berms, indicated that the tank contents had leaked out. This had caused extensive soil contamination around and under the tanks. Salvagers further destroyed numerous tanks by cutting off tank tops and leaving product in the bottoms of the tanks, causing the contents to overflow onto the ground. None of the tanks that were on-site were serviceable.

Rusting underground and above ground piping was located throughout the site. The majority of these pipes still contained petroleum products. When salvagers worked on the site, improper techniques of cutting pipes which contained flammable petroleum products had resulted in numerous fires and petroleum discharges. Some of these fires crossed the road and burned out wetland vegetation and fields. On several occasions, salvagers set tank contents on fire to remove the petroleum material in the tanks. Since the refinery is located adjacent to a housing area, the thick black smoke posed a substantial threat to public health and welfare of residents. There is evidence that petroleum contamination has reached ground water.

9. Perform incidental removal actions within the basic contract statement of work including the use and issuance of CERCLA Daily Work Orders. This DO is issued in accordance with the basic contract SOW, Attachment C-1, A to E.

C. Apply the applicable wage rates as appropriate in accordance with the Service Contract Act.